

 ORIGINAL

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FILED
DISTRICT COURT OF GUAM

AUG 08 2007

JEANNE G. QUINATA
Clerk of Court

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF GUAM**

UNITED STATES OF AMERICA,
Plaintiff,
vs.
NATHANIEL DIAZ PUNZALAN,
Defendant.

CRIMINAL CASE NO. **07-00075**

INDICTMENT

**POSSESSION OF A FIREARM BY
A FELON**
[18 U.S.C. §§ 922(g)(1), 924(a)(2) & 2]
(Counts I and III)

**POSSESSION OF AMMUNITION BY
A FELON**
[18 U.S.C. §§ 922(g)(1), 924(a)(2) & 2]
(Counts II and IV)

THE GRAND JURY CHARGES THAT:

COUNT I - POSSESSION OF A FIREARM BY A FELON

On or about January 2, 2006, in the District of Guam and elsewhere, NATHANIEL DIAZ PUNZALAN, the defendant herein, having been convicted of a felony offense; to wit, one count of Burglary (As a Second Degree Felony), on September 24, 2001, under the Superior Court of Guam, Case No. 78-01, and one count of Terrorizing (As a Third Degree Felony), on August 19, 2002, under the Superior Court of Guam, Case No. CF531-01; possessed in and affecting commerce, a firearm, to wit: a .45 caliber pistol, brand name: Essex Arms Corp; Serial Number #SS6838, which had been shipped and transported in interstate or foreign commerce, in violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(2) and 2.

COUNT II - POSSESSION OF AMMUNITION BY A FELON

On or about January 2, 2006, in the District of Guam and elsewhere, NATHANIEL DIAZ PUNZALAN, the defendant herein, having been convicted of a felony offense; to wit, one count of Burglary (As a Second Degree Felony), on September 24, 2001, under the Superior Court of Guam, Case No. 78-01, and one count of Terrorizing (As a Third Degree Felony), on August 19, 2002, under the Superior Court of Guam, Case No. CF531-01; possessed in and affecting commerce, ammunition, to wit: forty three .45 caliber ammunition, which had been shipped and transported in interstate or foreign commerce, in violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(2) and 2.

COUNT III - POSSESSION OF A FIREARM BY A FELON

On or about April 11, 2007, in the District of Guam and elsewhere, NATHANIEL DIAZ PUNZALAN, the defendant herein, having been convicted of a felony offense; to wit, one count of Burglary (As a Second Degree Felony), on September 24, 2001, under the Superior Court of Guam, Case No. 78-01, and one count of Terrorizing (As a Third Degree Felony), on August 19, 2002, under the Superior Court of Guam, Case No. CF531-01; possessed in and affecting commerce, a firearm, to wit: a Springfield Armory pistol, model XD-45, .45 caliber pistol, serial number US661844, which had been shipped and transported in interstate or foreign commerce, in violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(2) and 2.

COUNT IV - POSSESSION OF AMMUNITION BY A FELON

On or about April 11, 2007, in the District of Guam and elsewhere, NATHANIEL DIAZ PUNZALAN, the defendant herein, having been convicted of a felony offense; to wit, one count of Burglary (As a Second Degree Felony), on September 24, 2001, under the Superior Court of Guam, Case No. 78-01, and one count of Terrorizing (As a Third Degree Felony), on August 19, 2002, under the Superior Court of Guam, Case No. CF531-01; possessed in and

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1 affecting commerce, ammunition, to wit: nine rounds of .45 caliber ammunition, which had been
2 shipped and transported in interstate or foreign commerce, in violation of Title 18, United States
3 Code, Sections 922(g)(1), 924(a)(2) and 2.

4 DATED this 8 day of August, 2007.

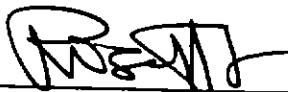
5 A TRUE BILL.
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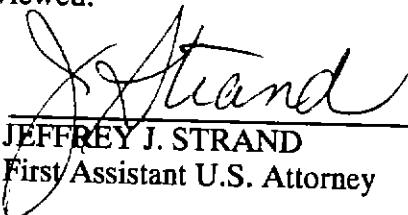
Foreperson



LEONARDO M. RAPADAS
United States Attorney
Districts of Guam and NMI

By: 
ROSETTA L. SAN NICOLAS
Assistant U.S. Attorney

Reviewed:

By: 
JEFFREY J. STRAND
First Assistant U.S. Attorney

Place of Offense:City Hagåtña**Related Case Information:****07-00075**

Country/Parish _____

Superseding Indictment _____ Docket Number _____

Same Defendant _____ New Defendant x _____

Search Warrant Case Number _____

R 20/ R 40 from District of _____

Defendant Information:Juvenile: Yes No X Matter to be sealed: Yes x NoDefendant Name NATHANIEL DIAZ PUNZALAN

Alias Name _____

Address _____

Yigo, GuamBirthdate Xx/xx/1980 SS# xxx-xx-6834 Sex M Race PI Nationality Chamorro**U.S. Attorney Information:**AUSA Rosetta L. San NicolasInterpreter: X No Yes List language and/or dialect: _____**R E C E I V E D**
AUG - 8 2007**Location Status:**

Arrest Date _____

**DISTRICT COURT OF GUAM
HAGATNA, GUAM**

Already in Federal Custody as of _____ in _____

Already in State Custody

On Pretrial Release

U.S.C. Citations

Total # of Counts:	<u>4</u>	Petty	Misdemeanor	<u>X</u>	Felony	
		<u>Index Key/Code</u>	<u>Description of Offense Charged</u>			<u>Count(s)</u>
Set	1	<u>18 USC 922(g)(1), 924(a)(2) & 2</u>	<u>Possession of a Firearm by a Felon</u>			<u>1 - 3</u>
Set	2	<u>18 USC 922(g)(1), 924(a)(2) & 2</u>	<u>Possession of Ammunition by a Felon</u>			<u>2 - 4</u>
Set	3	_____	_____			_____
Set	4	_____	(May be continued on reverse)			_____

Date: 8/7/07 Signature of AUSA: Rosetta L. San Nicolas